

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEPHANIE LUKIS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WHITEPAGES, INC.,

Defendant.

No. 1:19-cv-04871

Judge Gary Feinerman

Mag. Judge Jeffrey T. Gilbert

WHITEPAGES, INC.'S MOTION FOR LEAVE TO FILE UNDER SEAL AND REDACT

Defendant Whitepages, Inc. (“Whitepages”), through the undersigned counsel, moves pursuant to Local Rule 26.2 for leave to redact parts of the publicly filed Memoranda in Opposition to Plaintiff’s Motion to Extend Discovery and in Opposition to Plaintiff’s Motion to Compel (the “Opposition Briefs”) and file the unredacted Opposition Briefs under seal. In support, Whitepages states as follows:

1. On January 5, 2021, Whitepages began the deposition of plaintiff Stephanie Lukis. That deposition continued on January 13, 2021.
2. Pursuant to the Protective Order in this case, deposition testimony is to be treated as confidential for 14 days after delivery of the transcript to a witness. (ECF 86, pp. 3-4.) After expiration of 14 days, confidentiality is waived unless specific testimony is designated confidential. (*Id.*)
3. The 14-day period for Lukis’s first deposition session expired no later than January 22, 2021. The 14-day period for Lukis’s second deposition session expired no later than January 29, 2021.

4. Although neither Lukis nor her counsel designated any specific deposition testimony as confidential during the relevant time periods, Whitepages has previously been granted leave to file the transcripts and related documents under seal. (ECF 126, 130, 140).

5. Whitepages does not believe that the transcripts should be treated as confidential, and given that neither Lukis nor her counsel made any designations during the relevant time periods, Whitepages moved on February 2, 2021, to unseal the transcripts and related documents. (ECF 135).

6. However, out of abundance of caution and because the Court has not yet ruled on Whitepages' motion for leave to unseal,¹ Whitepages seeks leave to file under seal any portions of the Opposition Briefs that paraphrase the transcripts.

Respectfully submitted,

WHITEPAGES, INC.

By: /s/ Blaine C. Kimrey
One of its attorneys

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Dated: February 9, 2021

¹ On February 5, 2021, the Court instructed Lukis to file any opposition to Whitepages' motion to unseal by February 12, 2021. (ECF 140).

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2021, a copy of the foregoing was electronically filed in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system.

/s/ Blaine C. Kimrey

Blaine C. Kimrey